THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 25242 OF 2006

DATED: 18-06-2007

Between :

Kadavakollu Srinivasa Rao

… Petitioner

And

The Government of A.P.,
Rep., by its Principal Secretary,
Civil Supplies Department,
Secretariat Buildings,
Hyderabad and 3 others.

... Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.25242 OF 2006

ORDER :

This writ petition is filed seeking a declaration that the action of the second respondent in selecting the 4th respondent herein as the fair price shop dealer of Lingaeddipalem village under the quota earmarked for physically handicapped persons pursuant to the notification dated 19-10-2006 is arbitrary and illegal.

The main ground of the petitioner appears that the 4th respondent is not a physically handicapped candidate and therefore, the 2nd respondent ought not to have considered him for appointment under the vacancy earmarked for the physically handicapped persons.

The 4th respondent filed a counter affidavit and denied the allegations made by the petitioner.

Be that as it may, since admittedly an alternative remedy of appeal is available against the order impugned, the petitioner cannot maintain this writ petition under Article 226 of the Constitution of India without exhausting such an efficacious alternative remedy.

Accordingly, the writ petition is disposed of granting leave and liberty to the petitioner to work out the alternative remedy, if so advised. No costs.

G. ROHINI, J.

Date 18-06-2007
KLP